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**Buildings—Location, Construction, and Sanitary Regulation. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 4. *Definitions.*—In this code the following terms shall have the meanings respectively assigned to them, viz:

*First-class building.*—A first-class building shall consist of fireproof material throughout, with floors and roof constructed of steel or reinforced concrete beams, filled in between with terra cotta or other masonry arches or with concrete or reinforced concrete slabs; wood may be used only for flooring, windows, and door frames, sashes, doors, interior finish, hand rails for stairs, necessary sleepers bedded in the cement, and for isolated furrings bedded in mortar. There shall be no air space between the top of any floor and the floor boarding.

*Second-class building.*—A second-class building is a building constructed with walls of masonry or concrete supporting the adjacent floor loads, with the interior floors supported by studded partitions or by columns and girders, with the roof or roofs constructed of incombustible material, with combustible materials used in any part, except outer walls and roofs, and with all wooden partitions and ceilings plastered.

*Third-class building.*—Any building or structure which does not come within the designation of either a first or second class building shall be deemed a third-class building.

*Exemptions.*—The provisions of this code relating to first and second class buildings shall not apply to voting booths nor to temporary structures used to facilitate the erection of buildings, provided that when the building is completed the temporary structure shall be removed.

*Foundations.*—That part of a wall below the level of the highest part of the street curb, or, if a wall is not on a street, that part of the wall below the level of the highest ground next to the wall, or, that part of a party or partition wall below the cellar floor.

*Party wall.*—A wall that separates two or more buildings, and which is used or adapted for the use of more than one building.

*Curtain wall.*—An interior or exterior nonbearing wall that is supported at each floor level by the skeleton frame of the building.

*Partition wall.*—An interior subdividing wall.

*Thickness of wall.*—The minimum thickness of any wall.

*Story of a building.*—That part of a building between the top of any floor beams and the top of the floor or roof beams next above.

*Basement.*—That story of a building not more than 40 per cent of which is below the grade of the street.

*Cellar.*—That part of a building not more than 40 per cent of which is below the grade of the street, and in third-class buildings that part of the building which is below the sills.

*Hotel.*—A house or building for the entertainment of travelers and others, properly distinguished from the lodging house by its superior style and pretensions, and having more than 20 sleeping rooms for guests.

*Boarding or lodging house.*—A boarding or lodging house is a building used for boarding or lodging purposes, containing not less than 5 nor more than 20 sleeping rooms for guests.

*Tenement.*—A tenement house is any house or building, or portion thereof, which is rented, leased, let, or hired out, to be occupied, or is occupied, or is intended, arranged, or designed to be occupied, as the home or residence of three families or more living independently of each other, and doing their cooking on the premises, and having a common right to the halls, verandas, stairways, yards, water supply, water-closets or privies, or some of them; or by more than two families above the first story so living and having a right in common to use the conveniences aforesaid, or some of them.

*Office building.*—An office building is a building, the whole or larger part of which is intended or used for office purposes, no part of which is used for living purposes, except by the janitor and his family.

*Public hall.*—A public hall is a room for public assemblages, having a total seating capacity of 100 or more persons, but which does not include a theater.

*Theater.*—A theater is a building containing a room used for theatrical, operatic, or moving picture exhibitions, or other public entertainments, having a total seating capacity of 200 or more persons, and being provided with a curtain for moving pictures or a stage upon which movable scenery is used.

*Hospital, sanatorium, or asylum.*—A hospital, sanatorium, or asylum is a building in which sick, demented, injured, infirm, aged, or orphaned persons are housed, or intended to be housed.

*Warehouse.*—A warehouse is a building used for the storage of goods, wares, or merchandise.

*Factory.*—A factory is a building used for manufacturing purposes.

SEC. 5. *Air space between buildings.*—No building, not flush with a street or streets bounding the lot on which it is to stand, shall hereafter be erected within 5 feet of any other boundary line of said lot, unless the nature and location of such building and the purposes for which it is to be constructed and adapted do not require said vacant space for the preservation of public health and public sanitation. There shall be a clear air space of 10 feet between all buildings, except such as are flush with a street or streets bounding the lot on which they stand unless the nature and location of such buildings and the purposes for which they are to be constructed and adapted do not require said vacant space for the preservation of the public health and public sanitation. The word "buildings" in this paragraph shall be construed to mean and include sheds, lean-tos, privies, outhouses, and all other structures of similar character.

SEC. 6. *Rain water.*—Where the space between buildings is less than 15 feet, the water from the roofs of the building shall be made to discharge into suitable drains leading into street or alley gutters, and if any building is so situated that the water from the roofs of said building will run under the building and not drain off the same rule shall apply.

SEC. 7. *Light and ventilation of dwellings.*—Each and every room intended or used for human habitation shall be provided with at least 8 square feet of window area, having unobstructed access into the open air, for each 100 square feet of floor space in said room, and free access shall at all times be had to the same by the occupants of the room, and at least one-half of such window space shall be movable and available for ventilation. The word "room" in this paragraph shall be construed to mean and include any space for occupancy or use inclosed on all sides by walls, or by partitions which are 5 feet or more in height.

SEC. 8. *Air space under buildings.*—Every building, except as otherwise provided, shall have at least 20 inches of clear air space for the circulation of air between the floor timbers and the highest point of ground under same, and shall have sufficient openings for ventilation in the outer walls to admit a free circulation of air; but said air space shall not be secured by excavating below the level of the street and lot on which said building is to stand, and this air space shall not be used for storage but shall be kept clean and sanitary. In case said air space is not provided for in accordance with this code the ground floor of all such buildings shall be of concrete, asphaltum, or masonry so constructed as to leave no spaces or openings beneath the same.

SEC. 9. *Courts, areas, lanes, etc.*—Whenever in the judgment of the board or its agents the public health requires, they may order and direct any court, area, lane, or alley to be effectively paved and drained so as to prevent the saturation and contamination of the soil and air; and all such courts, areas, lanes, and alleys, whether paved or not, shall at all times be kept clean and free from all accumulations of ashes, garbage, or other waste substances by the owners, occupants, or persons in possession.

SEC. 10. *Tenement buildings.*—No tenement house constructed of wood shall be more than two stories in height. In the rear of every tenement house there shall be a clear yard extending across the entire width of the lot; the depth of such yard, measured from the extreme rear of the house to the rear line of the lot, shall never be less than 10 feet; and the side of every tenement and in at least every 100 feet of every tenement or abutting tenement over 100 feet in length, running from the front to the rear of the tenement, there shall be an alleyway open to the sky not less than 5 feet wide, which shall be kept clear, which shall be concreted with a 4-inch slab, and the ground under any tenement shall be concreted to the same thickness. All porches shall be connected to the ground by stairways with handrails. A tenement situated in the rear of another tenement shall be separated from the front building by a clear space across the entire length of the building of not less than 10 feet. This space shall be concreted and kept clear. No tenement house shall be altered or repaired except such alterations, repairs, or changes shall meet with the approval of the board of health or its agents.

SEC. 11. All houses, structures, rooms, or parts thereof in which water is used or intended to be used in such quantity as to render the floor or floors or the ground under the floor or floors thereof damp shall have such floor or floors made absolutely waterproof, with proper drainage into trapped leaders conveying the water away into cesspool or sewer, where practicable. The waterproofing of all such floors shall be done in a manner satisfactory to the board of health or its agents.

SEC. 12. No building or structure shall be used as a residence or place for human habitation or abode which is situated upon land that has been made by filling in with dangerous and insanitary refuse or garbage or any substance dangerous to the public health.

**Privies and Cesspools—Location, Construction, and Removal of Contents.**  
(Reg. Bd. of H., Feb. 11, 1915.)

SEC. 13. *Regarding privy vaults and cesspools.*—No privy vault, sink, or cesspool shall hereafter be located or constructed within 50 feet of any stream, lake, pond, well, or spring of water, nor within 2 feet of the line of any lot, nor placed in such a position that it is not easily accessible for emptying and cleaning. No privy vault shall extend farther beneath the privy covering it than to meet a perpendicular line drawn from the front edge of the seats in said privy. All privies shall be made fly-proof.

The word "cesspool" in this code shall be construed to mean and include all excavations for the reception of waste matter into which waste water flows. All cesspools shall be properly sealed.

The words "privy vault" in this code shall be construed to mean and include all excavations for the reception of waste matter into which no waste water flows.

SEC. 14. When deemed necessary by the board of health or its agents, the sides and bottom of any privy vault, sink, or cesspool shall be made either wholly or in part water tight, so as to prevent any saturation of the ground about the said vault, sink, or cesspool, and shall be properly vented.

SEC. 15. A cesspool or other sanitary means of disposing of waste shall be completed before any building hereafter to be constructed shall be occupied. No structure or cover shall be put upon or over any privy vault, sink, or cesspool until it has been inspected by the proper agent of the board of health and approved as meeting the requirements of these regulations and of public health.

SEC. 16. Any privy vault, sink, or cesspool already constructed which has become a nuisance or in any way dangerous to life or detrimental to health shall be removed, reconstructed, altered, or disinfected to meet the requirements of these regulations and of public health as directed by the board of health or its agent.

SEC. 17. No privy vault or cesspool shall be excavated or maintained within 10 feet from any dwelling house or inhabited building, or cook house or place where cooking is done.